

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

MARTÍN JONATHAN BATALLA
VIDAL, *et al.*,

Plaintiffs,

v.

No. 16-cv-4756 (NGG) (VMS)

PETER T. GAYNOR, *et al.*,

Defendants.¹

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

No. 17-cv-5228 (NGG) (VMS)

DONALD TRUMP, *et al.*,

Defendants.

NOTICE

Defendants respectfully notify the Court and the Plaintiffs that, earlier today, Under Secretary for Strategy, Policy, and Plans Chad F. Wolf issued a ratification of his prior delegable actions as Acting Secretary of Homeland Security, and certain other delegable actions of others. That ratification is attached to this notice as Exhibit 1. Also attached to this notice are a January 11, 2021 Order Designating the Order of Succession for the Secretary of Homeland Security (Ex. 2), and a January 12, 2021 Delegation to the Under Secretary for Strategy, Policy, and Plans to Act on Final Rules, Regulations, and Other Matters (Ex. 3).

¹ In both of the above-captioned matters, Acting Secretary of Homeland Security Peter T. Gaynor is automatically substituted as a Defendant for former Acting Secretary of Homeland Security Chad F. Wolf, pursuant to Federal Rule of Civil Procedure 25(d).

Consistent with instructions from undersigned counsel to the Department of Homeland Security and to U.S. Citizenship and Immigration Services, undersigned counsel's understanding is that no changes have been made to the operation of the DACA policy as a result of these documents. Defendants will continue to comply with this Court's orders unless and until Defendants obtain relief from those orders.

Dated: January 14, 2021

Respectfully submitted,

JENNIFER B. DICKEY
Acting Assistant Attorney General

SETH D. DUCHARME
Acting United States Attorney

BRAD P. ROSENBERG
Assistant Branch Director

/s/ Stephen M. Pezzi
GALEN N. THORP
Senior Trial Counsel
STEPHEN M. PEZZI
RACHAEL L. WESTMORELAND
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Phone: (202) 305-8576
Fax: (202) 616-8470
Email: stephen.pezzi@usdoj.gov

JOSEPH A. MARUTOLLO
Assistant U.S. Attorney
United States Attorney's Office
Eastern District of New York
271-A Cadman Plaza East, 7th Floor
Brooklyn, NY 11201
Phone: (718) 254-6288
Fax: (718) 254-7489
Email: joseph.marutollo@usdoj.gov

Attorneys for Defendants